

An Act

SENATE BILL 25-113

BY SENATOR(S) Bridges and Kirkmeyer, Amabile;
also REPRESENTATIVE(S) Bird and Taggart, Sirota, Clifford, Duran,
Gonzalez R., Keltie, Lieder, Mauro, Story, Valdez, McCluskie.

CONCERNING ADJUSTMENTS TO SCHOOL FUNDING FOR THE 2024-25 BUDGET
YEAR, AND, IN CONNECTION THEREWITH, INCREASING AN
APPROPRIATION.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Legislative declaration. (1) The general assembly
finds and declares that:

(a) For the 2024-25 budget year, the actual funded pupil count is higher than anticipated when the appropriation was established in the 2024 legislative session for total program funding for the 2024-25 budget year. As a result, total program funding is \$38,467,082 higher than anticipated when appropriations were established in the 2024 legislative session.

(b) Based on actual local property tax revenue and specific ownership tax revenue available to school districts for the 2024-25 budget year, the local share of total program funding is \$25,609,529 lower than

anticipated when the appropriations were established in the 2024 legislative session.

(2) Therefore, it is the general assembly's intent to increase the state share of districts' total program funding by \$64,076,611 for the 2024-25 budget year.

SECTION 2. In Colorado Revised Statutes, 22-54-104, **amend** (5.5) as follows:

22-54-104. District total program - legislative declaration - definitions - repeal. (5.5) For the 2024-25 budget year, and each budget year thereafter, the department of education and the staff of the legislative council shall determine, based on budget projections, the amount to ensure that, for the 2024-25 budget year, the sum of total program funding for all districts, including funding for institute charter schools, is not less than ~~nine billion seven hundred thirty-five million seven hundred sixty-seven thousand four hundred twenty-nine dollars (\$9,735,767,429)~~ NINE BILLION SEVEN HUNDRED SEVENTY-THREE MILLION ONE HUNDRED FIFTY-TWO THOUSAND SEVEN HUNDRED FORTY-NINE DOLLARS (\$9,773,152,749); except that the department of education and the staff of the legislative council shall make mid-year revisions to replace projections with actual figures, including, but not limited to, actual pupil enrollment, assessed valuations, and specific ownership tax revenue from the prior year, to determine any necessary changes in the amount of the reduction to maintain total program funding for the applicable budget year that is consistent with this subsection (5.5).

SECTION 3. In Colorado Revised Statutes, 22-45-103, **amend** (1)(k)(III) as follows:

22-45-103. Funds. (1) The following funds are created for each school district for purposes specified in this article 45:

(k) **Total program reserve fund - repeal.** (III) This ~~section~~ SUBSECTION (1)(k) is repealed, effective July 1, 2025.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

SECTION 4. Appropriation to the department of education for the fiscal year beginning July 1, 2024. In Session Laws of Colorado 2024, section 2 of chapter 519, (HB 24-1430), **amend** Part IV (3)(A) and footnote 16 as follows:

Section 2. **Appropriation.**

**PART IV
DEPARTMENT OF EDUCATION**

(3) SCHOOL DISTRICT OPERATIONS

(A) Public School Finance

Administration	2,045,037		1,910,675 (14.2 FTE)		134,362 ^a (0.5 FTE)	
Financial Transparency System Maintenance	92,786				92,786 ^a (1.0 FTE)	
School Finance Audit Payments	3,000,000				3,000,000 ^b	
State Share of Districts'						
Total Program Funding	5,090,874,785 5,152,523,846		2,991,406,528	1,247,280,333 ^c	852,187,924^d 913,836,985 ^d	
Extended High School ¹⁶	21,030,932 23,458,482				21,030,932^e 23,458,482 ^a	
District Per Pupil Reimbursements for Juveniles Held in Jail	10,000				10,000 ^e	
At-risk Supplemental Aid	7,009,989				7,009,989 ^f	
At-risk Per Pupil Additional Funding	5,000,000				5,000,000 ^f	
Contingency Reserve Fund	<u>1,000,000</u>				1,000,000 ^g	
	5,130,063,529					
	5,194,140,140					

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<p>^a These amounts shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.</p> <p>^b This amount shall be from the State Public School Fund created in Section 22-54-114 (1), C.R.S.</p> <p>^c This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.</p> <p>^d Of this amount, \$772,742,156 \$834,391,217 shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution and \$79,445,768 shall be from the State Public School Fund created in Section 22-54-114 (1), C.R.S. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution. Of the amount appropriated from the State Public School Fund, \$53,449,152 is estimated to be from federal mineral leasing revenues transferred to the State Public School Fund pursuant to Sections 22-54-114 (1) and 34-63-102, C.R.S., \$19,514,729 is estimated to be from marijuana sales tax revenues transferred to the State Public School Fund pursuant to Section 39-28.8-203 (1)(b)(I.5)(B), C.R.S., and appropriated pursuant to Section 22-54-139, C.R.S., and \$6,481,887 is estimated to be from interest and income earned on the investment of money in the Public School Fund that is credited to the State Public School Fund pursuant to Section 22-41-102 (3)(f), C.R.S.</p> <p>^e This amount shall be from the State Education Fund created in Section 17 (4)(a) of Article IX of the State Constitution. Pursuant to Section 17 (3) of Article IX of the State Constitution, appropriations from the State Education Fund are not subject to the limitation on fiscal year spending set forth in Section 20 of Article X of the State Constitution.</p> <p>^f These amounts shall be from the State Public School Fund created in Section 22-54-114 (1), C.R.S., from interest and income earned on the investment of money in the Public School Fund that is credited to the State Public School Fund pursuant to Section 22-41-102 (3)(g), C.R.S.</p> <p>^g This amount shall be from the Contingency Reserve Fund created in Section 22-54-117 (1)(a), C.R.S.</p>						
TOTALS PART IV (EDUCATION)	\$7,440,463,982	\$3,338,023,839	\$1,363,480,333 ^a	\$1,764,077,511^b	\$104,652,889 ^c	\$870,229,410 ^d
	<u>\$7,504,540,593</u>			<u>\$1,828,154,122^b</u>		

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b Of this amount, \$5,432,434 contains an (I) notation.

^c Of this amount, \$43,900,000 contains an (I) notation.

^d This amount contains an (I) notation.

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 2.

16 Department of Education, School District Operations, Public School Finance, Extended High School -- Pursuant to section 22-35-108.5 (2)(b)(II), C.R.S., the purpose of this footnote is to specify what portion of this appropriation is intended to be available for the Teacher Recruitment Education and Preparation

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

(TREP) Program for FY 2024-25. It is the General Assembly's intent that the Department of Education be authorized to utilize up to ~~\$2,561,000~~ \$2,151,240 of this appropriation to fund qualified students identified as TREP Program participants. This amount is calculated based on an estimated ~~250~~ 210 FTE TREP Program participants funded at a rate of \$10,244 per FTE pursuant to section 22-54-104 (4.7), C.R.S.

SECTION 5. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

James Rashad Coleman, Sr.
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Esther van Mourik
SECRETARY OF
THE SENATE

Vanessa Reilly
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO